IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 5TH FEBRUARY 2007 / 16TH MAGHA 1928

Bail Appl..No. 537 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.7682/2006
CRIME NO.334/06 OF THE MEDICAL COLLEGE POLICE STATION, KOZHIKODE

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: PETITIONER/ACCUSED NO.6:

Y.P. RAHMATHULLA, S/O. BEERAN,
NELLIYOTTUTHODI HOUSE, KOLAMBALAM, EDAVANNAPPURA,
MALAPPURAM DISTRICT.

BY ADV. SRI.BABU S. NAIR

RESPONDENTS: STATE:

THE STATE OF KERALA,
REPRESENTED BY THE ASSISTANT COMMISSIONER OF POLICE, CRIME DETACHMENT, KOZHIKODE THROUGH THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM, KOCHI-31.

BY D.G.P. SRI.P.G.THAMPI

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 537 OF 2007 B

Dated this the 5th day of February, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C., the petitioner, who is the 6th accused in Crime No.334/2006 of Medical College Police Station, Kozhikode for offences punishable under Secs.120B, 121, 121A, 465, 468, 471 read with section 34 I.P.C. and section 7 read with section 13(1)(a) of the Prevention of Corruption Act and section 12(b) of the Passports Act, seeks his enlargement on bail. Petitioner was arrested on 10-11-2006 and ever since then he has been remanded to the judicial custody.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the duration of judicial custody of the petitioner and the further fact that he had not directly met the first accused, who is alleged to be the Pakistani national, for whom the petitioner had secured the passport, I am inclined to grant bail to the petitioner but subject to adequate conditions safeguarding the interest of the prosecution. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs. 20,000/- (Rupees twenty thousand

only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Kunnamangalam and subject to the following conditions:

a. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

b. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

c. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

d. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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